



United States Department
of Agriculture



Forest Service
White River National Forest

February 2022

Notice of Proposed Action

El Jebel Administrative Site, Upper Parcel Conveyance Project

**White River National Forest
Aspen-Sopris Ranger District
Eagle County, Colorado**

N1/2 of Section 3 and NE1/4 of Section 4 in Township 8
South, Range 87 West, 6th P.M

Comments Welcome

The USDA Forest Service (Forest Service) is conducting an analysis of the El Jebel Administrative Site, Upper Parcel Conveyance Project. This parcel is located on the Aspen-Sopris District of the White River National Forest near El Jebel, Colorado on the south side of Valley Road near Crown Mountain Park. The Forest Service welcomes your comments on the proposal to convey, through sale or lease, the Upper Parcel at its administrative site as well as the associated water rights and mineral estate. Your comments will help us further develop the proposed action, potential alternatives, and complete an environmental assessment (EA). The EA will be used to determine whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI). Instructions for submitting comments are described at the end of this document. The content of this notice of proposed action (NOPA) and additional information is available online at <https://www.fs.usda.gov/project/?project=50663>.

This NOPA also is requesting your comments under Section 106 of the National Historic Preservation Act, as amended (NHPA). Consultation under the NHPA seeks to consider the views about an undertaking and its effects on historic properties for the agency official to consider in decision making (36 CFR 800).

Background

The White River National Forest (WRNF) is undergoing an effort to right-size its administrative footprint in order to achieve a sustainable portfolio of buildings and properties. Using the full array of available land conveyance and leasing authorities, the WRNF has a long-term plan to consolidate and enhance its facilities, improve employee housing opportunities, and better utilize administrative properties. One step toward this goal is the sale or lease of the Upper Parcel at the El Jebel administrative site.

Revenue generated from the sale or lease of the Upper Parcel will be used for renovation and/or replacement of other Forest Service administrative facilities. This could include redevelopment of the Aspen-Sopris Ranger District office, construction of employee housing, and/or development of facilities at the Forest Service's Rose Lane administrative property.

The Forest Service previously intended to convey both the 30-acre Upper Parcel and the 40-acre Lower Parcel at the El Jebel Administrative site, issuing a Notice of Intent on December 7, 2016 to complete an Environmental Impact Statement (EIS) for the conveyance of these two parcels. Based upon comments received from the public, a Forest Service interdisciplinary team of specialists, other agencies, partners, and stakeholders, the Forest Service has revised the Proposed Action to focus on conveyance of only the Upper Parcel.

Purpose and Need for Action

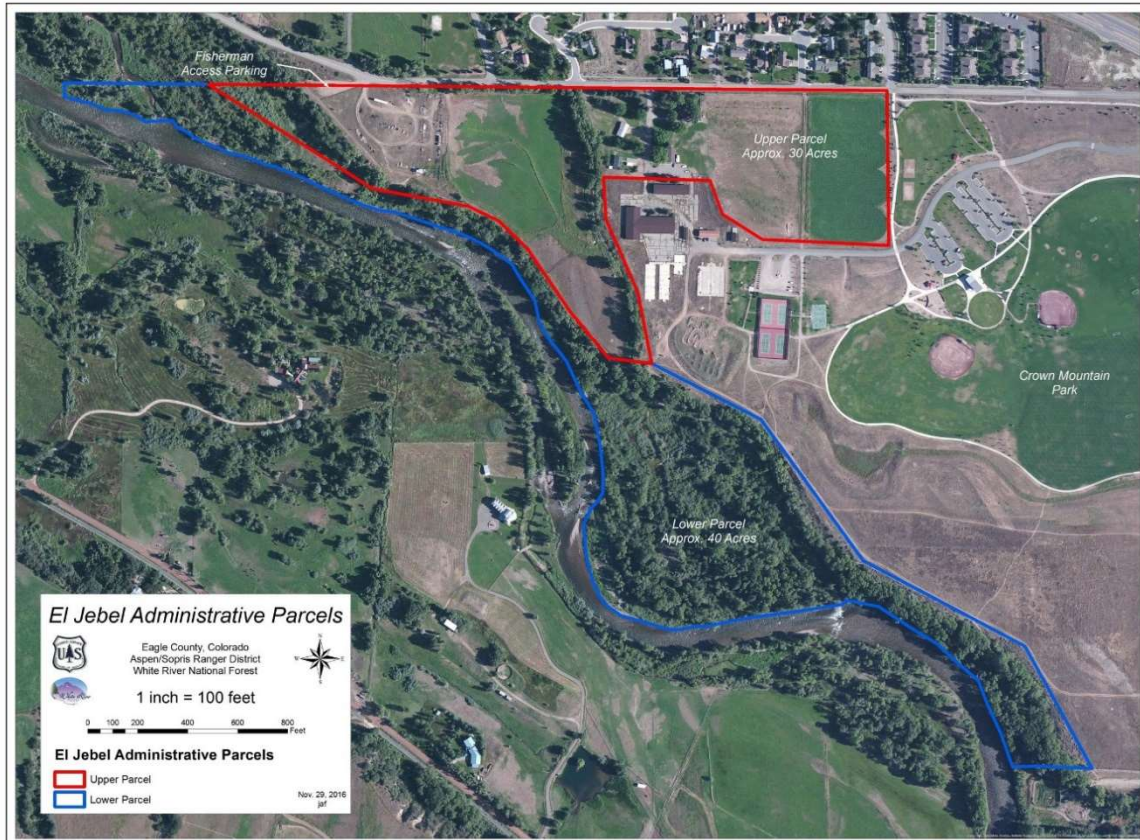
This action is needed because the WRNF is no longer able to maintain the buildings and other infrastructure on the Upper Parcel to the standards of the WRNF Facilities Master Plan (FMP). The aging facilities have incurred costly deferred maintenance and do not meet the current needs of the Forest. Additionally, the WRNF recognizes that this site is no longer serving the purpose for which it was intended, and due to its location, size, and topography, the Upper Parcel could better serve the public under different management and use. A sale or lease would not only provide essential resources for the maintenance and/or enhancement of other administrative sites and facilities, but also provide an opportunity for the land to serve other community needs.

Proposed Action

The Forest Service proposes to sell or lease the Upper Parcel (See Map 1) at its administrative site in El Jebel, CO. The approximately 30-acre site is outside the administrative boundary of the WRNF and is considered developable land. It is actively used as employee housing and storage compound including two single family residences, a seasonal employee bunkhouse, two mobile home pads, and an equipment/materials boneyard. The Forest Service would retain ownership of the Lower Parcel located along the Roaring Fork River. To maintain public access to the Lower Parcel, the Forest Service would reserve an easement on the Upper Parcel for an existing recreational parking area and trail.

Eagle and Pitkin County have been offered the first right of refusal for conveyance of this property in accordance with prior legislation (H.R. 1199 (11/4/1993) – To provide for a land exchange between the Secretary of Agriculture and Eagle and Pitkin Counties in Colorado, and for other purposes). The counties intend to exercise their first right of refusal; however, if at some point it is waived, conveyance may occur via competitive sale or lease. Eagle County has identified some likely uses, based upon listening sessions they held earlier in 2021, such as senior housing and recreational use similar to that at the neighboring Crown Mountain Park.

Map 1 – El Jebel Administrative Site Upper and Lower Parcels



Management Direction

The proposed action aligns with goals, objectives, and strategies from the 2002 White River National Forest Land and Resource Management Plan (Forest Plan), specifically;

Forest-wide Goal and Objectives (Forest Plan, p.1-14)

Goals

Goal 4, Effective Public Service: Ensure the acquisition and use of an appropriate corporate infrastructure to enable the efficient delivery of a variety of uses.

Forest-wide Standards and Guidelines (Forest Plan, p. 2-41 and 2-42)

Guidelines

Guideline 1: In land adjustment activities (including land exchange, purchase, sale, donation), consider the following:

- Reduction of Forest Service administrative costs and improvement of management efficiency.

Guideline 4: Evaluate the following when considering opportunities to convey lands:

- Lands in developed areas that have lost or are losing their national forest character;
- Lands within, and immediately adjacent to, expanding communities to assist public and private projects that have the mutual concurrence of federal, state, and local governments;
- Land conveyance to states, counties, cities, or other federal agencies when it serves a greater public interest;
- Lands that will contribute to community growth, development, and economic prosperity;
- Lands suitable for development by the private sector, if development (such as residential, agricultural, industrial, or recreational) does not adversely affect management of adjoining National Forest System lands;
- Lands isolated from other National Forest System lands.

Since the Upper Parcel is an administrative area, there is currently no Forest Plan-designated management area associated with the site.

The project will be designed to conform to the Forest Plan and all other laws, regulations and policies. Forest Plan standards and guidelines would be applied as appropriate to meet Forest Plan goals and desired conditions.

Nature of Decision to be Made

For this project, the responsible official is the Regional Forester for the Rocky Mountain Region, or the Regional Director with authority delegated from the Regional Forester. Given the purpose and need, the responsible official would review the environmental analysis of the proposed action, other alternatives, and any public comments in order to make the following decisions:

Whether to authorize the Upper Parcel for sale under the Forest Service Facilities Realignment and Enhancement Act of 2005 or for lease under Section 8623 of the Agricultural Improvement Act of 2018.

Public Involvement

A Notice of Intent (NOI) was published in the Federal Register on December 7, 2016 for conveyance of both the 30-acre Upper Parcel and the 40-acre Lower Parcel at the El Jebel Administrative site. The NOI asked for public comment on the proposal for 45 days following publication of the NOI in the Federal Register. In addition, as part of the public involvement process, the agency sent out a scoping letter to 344 individuals and organizations on December 5, 2016. The Aspen-Sopris Ranger District also held a public open house meeting on December 8, 2016 at the Eagle County Building in El Jebel. Twenty-nine people attended the open house to speak with Forest Service personnel. Comments were

accepted via email, web submission, letter, public meeting, fax and phone. During the 45-day scoping period, the WRNF received 27 comment submittals. The majority of comments made in the public meeting and through comment submittals focused on the following issues:

1. Maintaining public access to the Lower Parcel.
2. Conserving the ecological resources of the Lower Parcel, in particular protecting rare plants and wildlife.
3. Socioeconomic impacts of selling or leasing the parcels, in particular availability of affordable housing and traffic impacts of potential development.

Using the comments from the public, the USFS interdisciplinary team of resource specialists, other agencies, partners, and stakeholders, the Forest Service decided to modify the Proposed Action to convey just the Upper Parcel.

The project was first listed in the Schedule of Proposed Actions in December 2007 and updates are provided quarterly.

Alternatives to the Proposed Action

No Action

The EA may document consideration of a no-action alternative through the effects analysis by contrasting the impacts of the proposed action and any alternative(s) with the current condition and expected future condition if the proposed action were not implemented (36 CFR 220.7(b)(2)(ii)). Under the No Action Alternative, the Upper Parcel would be retained as National Forest with no change in use or management.

Other Alternatives Considered but Eliminated from Detailed Study

The Forest Service previously intended to convey both the 30-acre Upper Parcel and the 40-acre Lower Parcel at the El Jebel Administrative site. Based upon comments received from the public, a Forest Service interdisciplinary team of specialists, other agencies, partners, and stakeholders, the Forest Service has revised the Proposed Action to focus on conveyance of only the Upper Parcel.

Effects and Issues to Consider

The environmental assessment will address the effects of the proposed action to the following: vegetation and botany, aquatic and wildlife resources, watershed resources, soils, recreation, socioeconomic resources, and cultural resources. The assessment will be issue-driven and contain detail commensurate to the degree to which a resource may be affected.

Issues are cause and effect relationships that arise as a result of the proposed action. Initially, the Forest Service has identified the following issues to be considered:

Vegetation and Botany

The conveyance of the Upper Parcel and potential land use change may indirectly impact populations of federally listed Threatened botanical species (Ute ladies' tresses orchid) and

USFS Rocky Mountain Region sensitive botanical species (Yellow lady's slipper and American cranberry bush) on the adjacent Lower Parcel. The WRNF would continue to manage for the protection of these species on the Lower Parcel under the ESA and Forest Service Manual Direction (Chapter 2670 – Threatened, Endangered and Sensitive Plants and Animals).

Aquatic and Wildlife Resources

The conveyance of the Upper Parcel and potential land use change has the potential to indirectly affect the Yellow-billed cuckoo, which is a Federally Threatened species. Although this species has not been detected on the lower parcel, the property is considered potential habitat. The conveyance of the Upper Parcel and potential land use change may impact suitable habitat on the Upper Parcel for USFS Rocky Mountain Region sensitive wildlife species (Western bumblebee, Lewis' woodpecker, and Hoary bat) and indirectly impact suitable habitat for these species on the lower parcel. Bald eagles do not nest on the lower parcel, but can be found hunting on and inhabiting the parcel occasionally. The potential land use change could increase human disturbance to wildlife species utilizing the lower parcel. The proposed action may impact aquatic resources due to the conveyance of water rights associated with the Upper Parcel.

Soils and Watershed Resources

The conveyance of the Upper Parcel and potential land use change may impact soil resources on the Upper Parcel and indirectly impact watershed resources on the adjacent Lower Parcel due to localized soil disturbance and increased human activity. Soil disturbance on the Upper Parcel would depend on the development that may occur in the future. Development in Colorado is subject to permitting requirements set forth by the Water Quality Control Commission that establish erosion control to protect water quality from point source and non-point source pollution.

Recreation:

The conveyance of the Upper Parcel and proposed land use may increase recreation in the area, including on the adjacent Lower Parcel. If the Upper Parcel is developed, more people could reside there and would likely recreate on the Lower Parcel. Increased use on the Lower Parcel could result in less solitude and increased traffic on the informal trail system.

Social and Economic Resources:

The conveyance of the Upper Parcel may affect existing affordable employee housing for Forest Service employees. It could also create an opportunity for creation of additional employee housing as well as local community members on this site or other USFS administrative properties. Conveyance of the property for future development may also increase population, housing density and traffic in the local area.

Cultural

Because no National Register for Historic Places eligible cultural resources were identified, this action would not result in historic properties affected by direct, indirect, or cumulative effects.

Other issues raised in response to this notice of proposed action will be considered and addressed in the environmental analysis. Some issues may be addressed through modification of the proposed action, development of a new alternative, or mitigation measures.

Comment Process

The El Jebel Administrative Site Upper Parcel Conveyance Project is an activity implementing a land management plan. This activity is subject to pre-decisional objections under [36 CFR Part 218 Subparts A and B](#). The Forest Service is combining scoping with the legal notice and opportunity to comment, as described in §218.24.

Pursuant to 36 CFR 218.25, comments on this proposed action will be accepted for 30 days beginning on the first day after the date of publication of this notice in the *Denver Post*, the newspaper of record. If the comment period ends on a Saturday, Sunday or Federal holiday, comments will be accepted until the end of the next Federal working day. A timely submission will be determined as outlined in 36 CFR 218.25(a)(4). It is the responsibility of the sender to ensure timely receipt of any comments submitted.

The Responsible Official will consider all written comments received. However, in order for your comments to be most useful to the agency's preparation of the EA, and to retain your opportunity to be considered for possible eligibility to object to the draft decision later in the process, it's important that you provide your comments prior to the close of the scoping comment period and that you clearly articulate your concerns and contentions. Only individuals or entities (as defined by 36 CFR 218.2) who submit timely, specific written comments (as specified in 36 CFR 218.2) about this proposed action during this comment period established by the Responsible Official will be eligible to file an objection. The Responsible Official does not anticipate providing an additional opportunity to submit written comments other than this scoping period. Other eligibility requirements are specified in 36 CFR 218.25(a)(3) and include, among other requirements, the commenter's name, postal address, title of the proposed action, and signature or other verification of identity upon request and identification of the individual or entity who authored the comment(s). All written comments received by the Responsible Official, including names and addresses of commenters shall be placed in the project file and shall become a matter of public record for this proposed action. Comments submitted anonymously will be accepted and considered; however, anonymous comments will not provide the Agency with the ability to provide the respondent with subsequent environmental documents.

Comments should be within the scope of the proposed action, have a direct relationship to the proposed action, and must include supporting reasons for the Responsible Official to consider (36 CFR 218.2).

Written comments must be submitted via mail, electronically, or in person (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to: Scott Fitzwilliams, c/o Jennifer Schuller, 620 Main St., Carbondale, CO 81623. Electronic comments including attachments can be submitted to <https://cara.ecosystem-management.org/Public/CommentInput?project=50663> (please include "Comments on El Jebel Administrative Site, Upper Parcel Conveyance Project" in the subject line of your email) in order to be considered when making the final decision. Office hours, for those who wish to hand deliver their comments, are 8:00 a.m. to 4:30 p.m, Monday – Friday (except

Federal holidays). Acceptable formats for electronic comments are text or html e-mail, Adobe portable document format, and formats viewable in Microsoft Office applications.

If the agency determines there are no significant impacts, that finding along with the EA and a draft decision notice will be published for a 45-day objection period. If no specific written comments are received during the designated opportunity for comment, the project will not be subject to objection. If the EA concludes there is potential for significant impacts, then an environmental impact statement will need to be prepared.

Additional information regarding this action can be obtained from: Jennifer Schuller, 620 Main St., Carbondale, CO 81623, 970-404-3163, jennifer.schuller@usda.gov.

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